

Civil Procedure Law of the People's Republic of China (2021 Amendment PKULAW Version)

中华人民共和国民事诉讼法(2021修正)

Civil Procedure Law of the People's Republic of China

(Adopted at the 4th Session of the Seventh National People's Congress on April 9, 1991; amended for the first time in accordance with [the Decision on Amending the Civil Procedure Law of the People's Republic of China](#) as adopted at the 30th Session of the Standing Committee of the Tenth National People's Congress on October 28, 2007; amended for the second time in accordance with [the Decision on Amending the Civil Procedure Law of the People's Republic of China](#) as adopted at the 28th Session of the Standing Committee of the Eleventh National People's Congress on August 31, 2012; amended for the third time in accordance with [the Decision on Amending the Civil Procedure Law of the People's Republic of China and the Administrative Litigation Law of the People's Republic of China](#) as adopted at the 28th Session of the Standing Committee of the Twelfth National People's Congress on June 27, 2017; and amended for the forth time in accordance with [the Decision of the Standing Committee of the National People's Congress to Amend the Civil Procedure Law of the People's Republic of China](#) as adopted at the the 32nd Session of the Standing Committee of the Thirteenth National People's Congress on December 24, 2021)

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中华人民共和国民事诉讼法

(1991年4月9日第七届全国人民代表大会第四次会议通过 根据2007年10月28日第十届全国人民代表大会常务委员会第三十次会议《关于修改〈中华人民共和国民事诉讼法〉的决定》第一次修正 根据2012年8月31日第十一届全国人民代表大会常务委员会第二十八次会议《关于修改〈中华人民共和国民事诉讼法〉的决定》第二次修正 根据2017年6月27日第十二届全国人民代表大会常务委员会第二十八次会议《关于修改〈中华人民共和国民事诉讼法〉和〈中华人民共和国行政诉讼法〉的决定》第三次修正 根据2021年12月24日第十三届全国人民代表大会常务委员会第三十二次会议《关于修改〈中华人民共和国民事诉讼法〉的决定》第四次修正)

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Part One General Provisions

第一编 总 则

Chapter 1 Purposes, Scope of Application and Basic Principles

第一章 任务、适用范围和基本原则

Article 1 [The Civil Procedure Law of the People's Republic of China](#) is formulated in accordance with [the Constitution](#) and in consideration of civil trial experience and actual circumstances of civil trials in China.

第一条 中华人民共和国民事诉讼法以[宪法](#)为根据,结合我国民事审判工作的经验和实际情况制定。

Article 2 The purposes of [The Civil Procedure Law of the People's Republic of China](#) are to protect the parties' exercise of procedural rights; ensure that a people's court finds facts, distinguishes right from wrong, applies law correctly and try civil cases in a timely manner; confirm civil rights and obligations; punish violations of civil law; protect the lawful rights and interests of the parties; educate citizens on consciously abiding by law; maintain the social and economic order; and guarantee smooth socialist development.

第二条 中华人民共和国民事诉讼法的任务,是保护当事人行使诉讼权利,保证人民法院查明事实,分清是非,正确适用法律,及时审理民事案件,确认民事权利义务关系,制裁民事违法行为,保护当事人的合法权益,教育公民自觉遵守法律,维护社会秩序、经济秩序,保障社会主义建设事业顺利进行。

Article 3 The provisions of this Law shall apply to civil actions accepted by a people's court regarding property or personal relationships between citizens, between legal persons, between other organizations or between citizens and legal persons, citizens and other organizations or legal persons and other organizations.

第三条 人民法院受理公民之间、法人之间、其他组织之间以及他们相互之间因财产关系和人身关系提起的民事诉讼,适用本法的规定。

Article 4 For all civil actions conducted within the territory of the People's Republic of China, this Law must be complied with.

第四条 凡在中华人民共和国领域内进行民事诉讼,必须遵守本法。

Article 5 Foreign nationals, stateless persons and foreign enterprises and organizations which institute or respond to actions in the people's courts shall have equal procedural rights and obligations as citizens, legal persons and other organizations of the People's Republic of China.

第五条 外国人、无国籍人、外国企业和组织在人民法院起诉、应诉,同中华人民共和国公民、法人和其他组织有同等的诉讼权利义务。

Where the courts of a foreign country impose any restrictions on the civil procedural rights of citizens, legal persons and other organizations of the People's Republic of China, the people's courts of the People's Republic of China shall apply the principle of reciprocity to the civil procedural rights of citizens, enterprises and organizations of such a foreign country.

外国法院对中华人民共和国公民、法人和其他组织的民事诉讼权利加以限制的,中华人民共和国人民法院对该国公民、企业和组织的民事诉讼权利,实行对等原则。

Article 6 The power to try civil cases shall be exercised by the people's courts.

第六条 民事案件的审判权由人民法院行使。

A statutory period shall not include the time en route. A litigation document posted before the expiration date of a period shall not be regarded as past due.

期间不包括在途时间，诉讼文书在期满前交邮的，不算过期。

Article 86 Where a party fails to comply with a period for reasons beyond the party's control or for any other justifiable reasons, the party may apply for an extension of the period within ten days after the impediment is eliminated, and the people's court shall decide whether to permit such an extension.

第八十六条 当事人因不可抗拒的事由或者其他正当理由耽误期限的，在障碍消除后的十日内，可以申请顺延期限，是否准许，由人民法院决定。

Section 2 Service of Process

第二节 送达

Article 87 Service of process must be accompanied with a service acknowledgement, to which the person to be served shall affix a date of receipt and his or her signature or seal.

第八十七条 送达诉讼文书必须有送达回证，由受送达人在送达回证上记明收到日期，签名或者盖章。

The date of receipt affixed to the service acknowledgement by the person to be served shall be the date of service.

受送达人在送达回证上的签收日期为送达日期

Article 88 Process shall be served directly on the person to be served. If the person to be served, who is a citizen, is absent, a cohabiting adult family member of the person to be served shall sign for the service of process. If the person to be served is a legal person or any other organization, the legal representative of the legal person, the primary person in charge of the organization or the employee of the legal person or organization responsible for receiving process shall sign for the service of process. If the person to be served has a litigation representative, the litigation representative may sign for the service of process. If the person to be served has informed the people's court of a designated person to receive process, the designated person shall sign for the service of process.

第八十八条 送达诉讼文书，应当直接送达受送达。受送达是公民的，本人不在交他的同住成年家属签收；受送达是法人或者其他组织的，应当由法人的法定代表人、其他组织的主要负责人或者该法人、组织负责收件的人签收；受送达有诉讼代理人的，可以送交其代理人签收；受送达已向人民法院指定代收人的，送交代收人签收。

The date of receipt affixed to the service acknowledgment by the cohabiting adult family member of the person to be served, the employee of the legal person or organization responsible for receiving process, the litigation representative or the designated person to receive process shall be the date of service.

受送达人的同住成年家属，法人或者其他组织的负责收件的人，诉讼代理人或者代收人在送达回证上签收的日期为送达日期。

Article 89 Where the person to be served refuses to receive or his or her cohabiting adult family member refuses to receive process, the process server may invite the representatives of relevant grassroots organizations or the entity employing the person to be served to be present, provide an explanation on the refusal, record the cause of refusal and date on the service acknowledgement, to which the process server and witnesses shall affix their signatures or seals, and drop process at the domicile of the person to be served; and may also drop process at the domicile of the person to be served and record the service of process by photograph, video and other means, and process shall be deemed served.

第八十九条 受送达入或者他的同住成年家属拒绝接收诉讼文书的，送达入可以邀请有关基层组织或者所在单位的代表到场，说明情况，在送达回证上记明拒收事由和日期，由送达入、见证人签名或者盖章，将诉讼文书留在受送达人的住所；也可以将诉讼文书留在受送达人的住所，并采用拍照、录像等方式记录送达过程，即视为送达。

Article 90 With the consent of the person on whom a litigation document is to be served, a people's court may serve the litigation document by electronic means through which the receipt of the document can be confirmed. With respect to a judgment, ruling or consent judgment served by electronic means, if the person on whom it is served requests a paper document, the people's court shall provide such paper document.

第九十条 经受送达同意，人民法院可以采用能够确认其收悉的电子方式送达诉讼文书。通过电子方式送达的判决书、裁定书、调解书，受送达人在提出需要纸质文书的，人民法院应当提供。

Where a litigation document is served in the manner set out in the preceding paragraph, the date when the information to be served reaches the system designated by the person on whom it is served shall be the date of service.

采用前款方式送达的，以送达信息到达受送达人特定系统的日期为送达日期。

Article 91 Where direct service of process is difficult, service of process may be entrusted to another people's court or be conducted by post. If process is served by post, the date of receipt stated on the service acknowledgement shall be the date of service.

第九十一条 直接送达诉讼文书有困难的，可以委托其他人民法院代为送达，或者邮寄送达。邮寄送达的，以回执上注明的收件日期为送达日期。

Article 92 Where the person to be served is in the military service, process shall be served on the person through the political office of the unit at or above the regiment level of the armed force where the person serves.

第九十二条 受送达是军人的，通过其所在部队团以上单位的政治机关转交。

Article 93 Where the person to be served is incarcerated, process shall be served on the person through the incarceration facility.

第九十三条 受送达人在送达地被监禁的，通过其所在监所转交。

Where the person to be served is subject to any compulsory correctional measure, process shall be served on the person through the compulsory correctional facility.

受送达被采取强制性教育措施的，通过其所在强制性教育机构转交。

Article 94 The office or entity through which process is served must, immediately after receiving process, deliver the same to the person to be served, the person to be served shall sign for the service of process, and the date of receipt on the service acknowledgement shall be the date of service.

第九十四条 代为转交的机关、单位收到诉讼文书后，必须立即交受送达签收，以在送达回证上的签收日期，为送达日期。

Article 95 Where the whereabouts of the person on whom a litigation document is to be served are unknown, or if a litigation document cannot be served by any other means set out in this Section, the document shall be served by publication. The document shall be deemed to have been served 30 days after the publication.

第九十五条 受送达入下落不明，或者用本节规定的其他方式无法送达的，公告送达。自发出公告之日起，经过三十日，即视为送达。

The reasons for and the course of service of process by public announcement shall be recorded in the case file.

公告送达，应当在案卷中记明原因和经过。

Chapter 8 Mediation

第八章 调解

Article 96 When trying civil cases, a people's court shall, under the principle of free will of the parties, conduct mediation by distinguishing between right and wrong based on clear facts.

第九十六条 人民法院审理民事案件，根据当事人自愿的原则，在事实清楚的基础上，分清是非，进行调解。

Article 97 When a people's court conducts mediation, mediation may be conducted by one judge or by the collegial bench, and mediation shall be conducted on the spot as much as possible.

第九十七条 人民法院进行调解，可以由审判员一人主持，也可以由合议庭主持，并尽可能就地进行。

When a people's court conducts mediation, it may notify by simple means the parties and witnesses to appear in court.

人民法院进行调解，可以用简便方式通知当事人、证人到庭。

Article 98 When a people's court conducts mediation, it may invite relevant entities and individuals to provide assistance. The invited entities and individuals shall assist the people's court in mediation.

第九十八条 人民法院进行调解，可以邀请有关单位和个人协助。被邀请的单位和个人，应当协助人民法院进行调解。

Article 99 A mediation agreement must be based on the free will of both sides, and the parties shall not be forced to reach a mediation agreement. The content of a mediation agreement shall not violate any legal provisions.

第九十九条 调解达成协议，必须双方自愿，不得强迫。调解协议的内容不得违反法律规定。

Article 273 Actions instituted for disputes arising from the performance of contracts for Chinese-foreign equity joint ventures, Chinese-foreign contractual joint ventures or Chinese-foreign cooperative exploration and exploitation of natural resources in the People's Republic of China shall be under the jurisdiction of the people's courts of the People's Republic of China.

第二百七十三条 因在中华人民共和国履行中外合资经营企业合同、中外合作经营企业合同、中外合作勘探开发自然资源合同发生纠纷提起的诉讼，由中华人民共和国人民法院管辖。

Chapter 25 Service of Process and Periods

第二十五章 送达、期间

Article 274 A people's court may serve process on a party which has no domicile within the territory of the People's Republic of China in the following manners:

(1) Process is served in the manners specified in the international treaty concluded or acceded to by the home country of the person to be served and the People's Republic of China.

(2) Process is served through diplomatic channels.

(3) If the person to be served is a citizen of the People's Republic of China, service of process may be entrusted to the embassy or consulate of the People's Republic of China stationed in the country where the person to be served resides.

(4) Process is served on a litigation representative authorized by the person to be served to receive service of process.

(5) Process is served on the representative office or a branch office or business agent authorized to receive service of process established by the person to be served within the territory of the People's Republic of China.

(6) Service of process by post is allowed if the law of the home country of the person to be served permits service of process by post, and if, three months after the postmark date, the service acknowledgement is not returned, but based on all circumstances, it may be determined that process has been served, process shall be deemed served on the expiration date of the aforesaid period.

(7) Process is served by fax, email or any other means capable of confirming receipt by the person to be served.

(8) If service of process by the aforesaid means is not possible, process shall be served by public announcement, and process shall be deemed served three months after the date of public announcement.

Article 275 Where a defendant has no domicile within the territory of the People's Republic of China, the people's court shall serve a copy of the written complaint on the defendant and notify the defendant to a written statement of defense within 30 days after receiving the copy of the written complaint. If the defendant applies for an extension of the aforesaid period, the extension shall be subject to the decision of the people's court.

Article 276 A party which has no domicile within the territory of the People's Republic of China shall have the right to appeal against a judgment or ruling of a people's court of first instance within 30 days from the date of service of the written judgment or ruling. The appellee shall submit a written statement of defense within 30 days after receiving a copy of the written appeal. If a party is unable to file an appeal or submit a written statement of defense within the statutory period and applies for an extension of the period, the application shall be subject to the decision of the people's court.

第二百七十四条 人民法院对在中华人民共和国领域内没有住所的当事人送达诉讼文书，可以采用下列方式：

(一) 依照受送达人在所在国与中华人民共和国缔结或者共同参加的国际条约中规定的方式送达；

(二) 通过外交途径送达；

(三) 对具有中华人民共和国国籍的受送达，可以委托中华人民共和国驻受送达人在所在国的使领馆代为送达；

(四) 向受送达人的委托的有权代其接受送达的诉讼代理人送达；

(五) 向受送达人在中华人民共和国领域内设立的代表机构或者有权接受送达的分支机构、业务代办人送达；

(六) 受送达人在所在国的法律允许邮寄送达的，可以邮寄送达，自邮寄之日起满三个月，送达回证没有退回，但根据各种情况足以认定已经送达的，期间届满之日视为送达；

(七) 采用传真、电子邮件等能够确认受送达人收悉的方式送达；

(八) 不能用上述方式送达的，公告送达，自公告之日起满三个月，即视为送达。

第二百七十五条 被告在中华人民共和国领域内没有住所的，人民法院应当将起诉状副本送达被告，并通知被告在收到起诉状副本后三十日内提出答辩状。被告申请延期的，是否准许，由人民法院决定。

第二百七十六条 在中华人民共和国领域内没有住所的当事人，不服第一审人民法院判决、裁定的，有权在判决书、裁定书送达之日起三十日内提起上诉。被上诉人在收到上诉状副本后，应当在三十日内提出答辩状。当事人不能在法定期间提起上诉或者提出答辩状，申请延期的，是否准许，由人民法院决定。

Article 277 The period for a people's court to try a foreign-related civil case shall not be limited by the provisions of Article 149 and 176 of this Law.

第二百七十七条 人民法院审理涉外民事案件的期间，不受本法第一百五十二条、第一百八十三条规定的限制。

Chapter 26 Arbitration

第二十六章 仲 裁

Article 278 Where, for disputes arising from foreign economic and trade activities or international transportation or maritime activities, the parties have included an arbitration clause in the contracts or have reached a written arbitration agreement after a dispute arose to refer such disputes to an international arbitral institution of the People's Republic of China or any other arbitral institution for arbitration, the parties shall not institute an action in a people's court.

If the parties have not included any arbitration clauses in the contracts or have not reached a written arbitration agreement after a dispute arose, the parties may institute an action in a people's court.

第二百七十八条 涉外经济贸易、运输和海事中发生的纠纷，当事人在合同中订有仲裁条款或者事后达成书面仲裁协议，提交中华人民共和国涉外仲裁机构或者其他仲裁机构仲裁的，当事人不得向人民法院起诉。

当事人在合同中没有订有仲裁条款或者事后没有达成书面仲裁协议的，可以向人民法院起诉。

Article 279 Where a party applies for a preservation measure, the international arbitral institution of the People's Republic of China shall submit the party's application to the intermediate people's court at the place of domicile of the respondent or at the place where the respondent's property is located.

第二百七十九条 当事人申请采取保全的, 中华人民共和国的涉外仲裁机构应当将当事人的申请, 提交被申请人住所地或者财产所在地的中级人民法院裁定。

Article 280 Where an international arbitral institution of the People's Republic of China has rendered an award for a dispute, the parties shall not institute an action in a people court for the dispute. If a party fails to comply with the arbitration award, the opposing party may apply for enforcement of the award to the intermediate people's court at the place of domicile of the respondent or at the place where the respondent's property is located.

第二百八十一条 经中华人民共和国涉外仲裁机构裁决的，当事人不得向人民法院起诉。一方当事人不履行仲裁裁决的，对方当事人可以向被申请人住所地或者财产所在地的中级人民法院申请执行。

Article 281 Where the respondent adduces evidence that an arbitration award of an international arbitral institution of the People's Republic of China falls under any of the following circumstances, a people's court shall, upon examination and verification by a collegial bench, issue a ruling not to enforce the award:

第二百八十九条 对中华人民共和国涉外仲裁机构作出的裁决，被申请人提出证据证明仲裁裁决有下列情形之一的，经人民法院组成合议庭审查核实，裁定不予执行：

(1) The contract between the parties does not include an arbitration clause or the parties have not reached any written arbitration agreement after a dispute arose.

(一) 当事人在合同中没有订有仲裁条款或者事后没有达成书面仲裁协议的;

(2) The respondent is not notified to appoint an arbitrator or of the conduct of arbitration procedure or fails to present its case, which is not attributable to the fault of the respondent.

(二) 被申请人没有得到指定仲裁员或者进行仲裁程序的通知, 或者由于其他不属于被申请人负责的原因未能陈述意见的。

(3) The composition of the arbitration tribunal or the arbitration procedure is not in conformity with arbitration rules.

（三）仲裁庭的组成或者仲裁的程序与仲裁规则不符的；

(4) The matters arbitrated are outside the scope of an arbitration agreement or the arbitral institution has no arbitration power.

（四）裁决的事项不属于仲裁协议的范围或者仲裁机构无权仲裁的。

If a people's court holds that the enforcement of an arbitration award is contrary to the public interest, the people's court shall issue a ruling not to enforce the award.

人民法院认定执行该裁决违背社会公共利益的，裁定不予执行。

Article 282 Where an arbitration award is not enforced according to a ruling of a people's court, the parties may, according to a written arbitration agreement reached by them, apply again for arbitration or institute an action in a people's court.

第二百八十二条 仲裁裁决被人民法院裁定不予执行的，当事人可以根据双方达成的书面仲裁协议重新申请仲裁，也可以向人民法院起诉。

Article 283 In accordance with an international treaty concluded or acceded to by the People's Republic of China or under the principle of reciprocity, a people's court and a foreign court may request each other to provide judicial assistance in service of process, investigation and collection of evidence and other litigation activities.

If any matter requested by a foreign court for assistance is detrimental to the sovereignty, security or public interest of the People's Republic of China, the people's court shall not grant the request.

Article 284 Judicial assistance shall be requested and provided through the channels prescribed in an international treaty concluded or acceded to by the People's Republic of China; or in the absence of such a treaty, shall be requested and provided through diplomatic channels.

A foreign embassy or consulate to the People's Republic of China may serve process on and investigate and collect evidence from its citizens but shall not violate the laws of the People's Republic of China and shall not take compulsory measures.

Except for the circumstances in the preceding paragraph, no foreign authority or individual shall, without permission from the competent authorities of the People's Republic of China, serve process or conduct investigation and collection of evidence within the territory of the People's Republic of China.

Article 285 The written request of a foreign court for the provision of judicial assistance by a people's court and the annexes thereto shall be accompanied with Chinese versions or versions in other languages specified in the relevant international treaty.

A letter of request and its annexes submitted to a foreign court by a people's court for judicial assistance shall also be appended with the translations in the language of the country or the texts in the language specified in the relevant international treaty.

Article 286 The people's courts shall provide judicial assistance under the procedures prescribed by the laws of the People's Republic of China. If a foreign court requests that judicial assistance be provided in a special manner, it may be provided in the special manner requested, but the special manner requested shall not violate the laws of the People's Republic of China.

Article 287 Where a party applies for enforcement of an effective judgment or ruling of a people's court, if the party against whom enforcement is sought or the property thereof is not within the territory of the People's Republic of China, the applicant may apply directly to the foreign court having jurisdiction for recognition and enforcement or apply to a people's court for the people's court to request recognition and enforcement by the foreign court in accordance with the provisions of an international treaty concluded or acceded to by the People's Republic of China or under the principle of reciprocity.

Where a party applies for enforcement of an effective arbitration award of an international arbitral institution of the People's Republic of China, if the party against whom enforcement is sought or the property thereof is not within the territory of the People's Republic of China, the applicant shall apply directly to the foreign court having jurisdiction for recognition and enforcement.

第二百八十三条 根据中华人民共和国缔结或者参加的国际条约，或者按照互惠原则，人民法院和外国法院可以相互请求，代为送达文书、调查取证以及进行其他诉讼行为。

外国法院请求协助的事项有损于中华人民共和国的主权、安全或者社会公共利益的，人民法院不予执行。

第二百八十四条 请求和提供司法协助，应当依照中华人民共和国缔结或者参加的国际条约所规定的途径进行；没有条约关系的，通过外交途径进行。

外国驻中华人民共和国的使领馆可以向该国公民送达文书和调查取证，但不得违反中华人民共和国的法律，并不得采取强制措施。

除前款规定的情况外，未经中华人民共和国主管机关准许，任何外国机关或者个人不得在中华人民共和国领域内送达文书、调查取证。

第二百八十五条 外国法院请求人民法院提供司法协助的请求书及其所附文件，应当附有中文译本或者国际条约规定的其他文字文本。

人民法院请求外国法院提供司法协助的请求书及其所附文件，应当附有该国文字译本或者国际条约规定的其他文字文本。

第二百八十六条 人民法院提供司法协助，依照中华人民共和国法律规定的程序进行。外国法院请求采用特殊方式的，也可以按照其请求的特殊方式进行，但请求采用的特殊方式不得违反中华人民共和国法律。

第二百八十七条 人民法院作出的发生法律效力的判决、裁定，如果被执行人或者其财产不在中华人民共和国领域内，当事人请求执行的，可以由当事人直接向有管辖权的外国法院申请承认和执行，也可以由人民法院依照中华人民共和国缔结或者参加的国际条约的规定，或者按照互惠原则，请求外国法院承认和执行。

中华人民共和国涉外仲裁机构作出的发生法律效力的仲裁裁决，当事人请求执行的，如果被执行人或者其财产不在中华人民共和国领域内，应当由当事人直接向有管辖权的外国法院申请承认和执行。

Article 288 Where an effective judgment or ruling of a foreign court requires recognition and enforcement by a people's court of the People's Republic of China, a party may apply directly to the intermediate people's court of the People's Republic of China having jurisdiction for recognition and enforcement or apply to the foreign court for the foreign court to request recognition and enforcement by the people's court in accordance with the provisions of an international treaty concluded or acceded to by the People's Republic of China or under the principle of reciprocity.

第二百八十八条 外国法院作出的发生法律效力的判决、裁定，需要中华人民共和国人民法院承认和执行的，可以由当事人直接向中华人民共和国具有管辖权的中级人民法院申请承认和执行，也可以由外国法院依照该国与中华人民共和国缔结或者参加的国际条约的规定，或者按照互惠原则，请求人民法院承认和执行。

Article 289 After examining an application or request for recognition and enforcement of an effective judgment or ruling of a foreign court in accordance with an international treaty concluded or acceded to by the People's Republic of China or under the principle of reciprocity, a people's court shall issue a ruling to recognize the legal force of the judgment or ruling and issue an order for enforcement as needed to enforce the judgment or ruling according to the relevant provisions of this Law if the people's court deems that the judgment or ruling does not violate the basic principles of the laws of the People's Republic of China and the sovereignty, security and public interest of the People's Republic of China. If the judgment or ruling violates the basic principles of the laws of the People's Republic of China or the sovereignty, security or public interest of the People's Republic of China, the people's court shall not grant recognition and enforcement.

第二百八十九条 人民法院对申请或者请求承认和执行的外国法院作出的发生法律效力的判决、裁定，依照中华人民共和国缔结或者参加的国际条约，或者按照互惠原则进行审查后，认为不违反中华人民共和国法律的基本原则或者国家主权、安全、社会公共利益的，裁定承认其效力，需要执行的，发出执行令，依照本法的有关规定执行。违反中华人民共和国法律的基本原则或者国家主权、安全、社会公共利益的，不予承认和执行。

Article 290 Where an arbitration award of a foreign arbitral institution requires recognition and enforcement by a people's court of the People's Republic of China, a party shall apply directly to the intermediate people's court at the place of domicile of the party against whom enforcement is sought or at the place where the property thereof is located, and the people's court shall process the application in accordance with an international treaty concluded or acceded to by the People's Republic of China or under the principle of reciprocity.

第二百九十条 国外仲裁机构的裁决，需要中华人民共和国人民法院承认和执行的，应当由当事人直接向被执行人住所地或者其财产所在地的中级人民法院申请，人民法院应当依照中华人民共和国缔结或者参加的国际条约，或者按照互惠原则办理。

Article 291 This Law comes into force on the date of issuance, and [the Civil Procedure Law of the People's Republic of China \(for Trial Implementation\)](#) shall be repealed simultaneously.

第二百九十一条 本法自公布之日起施行，《[中华人民共和国民事诉讼法（试行）](#)》同时废止。

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